

APM-TAFOYA:340

1 December 1981

CIA ATTORNEY ORDERED TO TESTIFY IN TAFOYA TRIAL

EDS: TRIAL RESUMES AT 11 A.M. EST.

BY ANDREW ROSENTHAL

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FORT COLLINS, COLO. (AP) - A LAWYER FOR THE CIA, WHICH HAS DENIED INVOLVEMENT IN THE SHOOTING OF A LIBYAN DISSIDENT HERE, WAS ORDERED TO TESTIFY TODAY IN THE TRIAL OF EUGENE TAFOYA, WHO IS CHARGED WITH ATTEMPTED MURDER AND CONSPIRACY.

CIA GENERAL COUNSEL JERRY JOHNSON WAS TOLD TO APPEAR TODAY BY LARIMER DISTRICT JUDGE J. ROBERT MILLER AFTER JOHNSON STOOD UP AND IDENTIFIED HIMSELF IN COURT MONDAY, SURPRISING SPECTATORS AND TAFOYA'S LAWYERS.

DEFENSE ATTORNEY SCOTT ROBINSON HAD ASKED MILLER TO INSTRUCT THE PROSECUTION TO PRODUCE JOHNSON AFTER READING WHAT HE SAID WAS A REPORT OF A CONVERSATION BETWEEN THE CIA LAWYER AND FORT COLLINS DETECTIVE RON MARTINEZ.

IN THAT REPORT, MARTINEZ SAID HE WAS INFORMED BY JOHNSON THAT HE WOULD DENY IN COURT ANY CONNECTION WITH TAFOYA, EVEN IF SUCH A LINK EXISTED, ACCORDING TO ROBINSON.

WHEN MILLER ASKED IF JOHNSON WAS IN THE COURTROOM, THE ATTORNEY ROSE TO IDENTIFY HIMSELF. THE JURY ALREADY HAD BEEN EXCUSED FOR THE DAY.

TAFOYA, ACCUSED OF TRYING TO MURDER LIBYAN DISSIDENT FAISAL ZAGALLAI ON OCT. 14, 1980, HAS ADMITTED HE SHOT THE GRADUATE STUDENT, BUT SAID HE DID SO IN SELF-DEFENSE AFTER ZAGALLAI PULLED A GUN. TAFOYA SAID HE BELIEVED HE WAS DELIVERING A MESSAGE FOR THE CIA WARNING ZAGALLAI TO STOP HIS DISSIDENT ACTIVITIES.

THE PROSECUTION CONTENDS TAFOYA WAS SENT TO MURDER ZAGALLAI ON A CONTRACT FOR LIBYAN COL. MOHAMMAR KHADAFY, AND WAS RECRUITED FOR THE JOB BY EDWIN WILSON, A FUGITIVE EX-CIA AGENT.

GEORGE MARLING, CHIEF RECORDS KEEPER FOR CIA CLANDESTINE OPERATIONS, TESTIFIED MONDAY THERE WAS NO RECORD OF TAFOYA EVER WORKING FOR THE

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